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HOUSE BILL 606

44TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 1999

INTRODUCED BY

Jeannette Wallace

AN ACT

RELATING TO PUBLIC ASSISTANCE; AMENDING THE NEW MEXICO WORKS ACT; REQUIRING APPLICANTS TO EITHER COMPLETE A JOB SEARCH OR SEEK A WAIVER; CLARIFYING THE IDENTIFICATION OF HOUSEHOLD GROUP AND BENEFIT GROUP MEMBERS PROVIDED IN THE NEW MEXICO WORKS ACT.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 27-2B-4 NMSA 1978 (being Laws 1998, Chapter 8, Section 4 and Laws 1998, Chapter 9, Section 4) is amended to read:

"27-2B-4. APPLICATION-- RESOURCE PLANNING SESSION-- INDIVIDUAL RESPONSIBILITY PLANS-- PARTICIPATION AGREEMENT-- REVIEW PERIODS. --

A. Application for cash assistance or services shall be made to the department's county office in the county

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1 or district in which an applicant resides. The application
2 shall be in writing or reduced to writing in the manner and on
3 the form prescribed by the department. The application shall
4 be made under oath by an applicant having custody of a
5 dependent child and shall contain a statement of the age of
6 the child, residence, a complete statement of the amount of
7 property in which the applicant has an interest, a statement
8 of all income that he and other household group members have
9 at the time of the filing of the application and other
10 information required by the department.

11 B. Application for expedited food stamps shall be
12 made to the department's county office in the county or
13 district in which an applicant resides. The department shall
14 process the application for expedited food stamps within
15 twenty-four hours after the application is made.

16 C. At the time of application for cash assistance
17 and services, an applicant shall identify [~~household group~~
18 ~~members who are to be counted~~] any person who is to be
19 included in the benefit group. Once an application is
20 approved, the participant shall advise the department if there
21 are any changes in the membership of the household group or
22 benefit group.

23 D. No later than forty-five days after an
24 application is filed, the department shall provide to an
25 applicant a resource planning session to ascertain his

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1 immediate needs, assess financial and nonfinancial options,
2 make referrals and act on the application.

3 E. No later than five days after an application is
4 approved, the department shall provide reimbursement for child
5 care.

6 F. Whenever the department receives an application
7 for assistance, a verification and record of the applicant's
8 circumstances shall promptly be made to ascertain the facts
9 supporting the application and to obtain other information
10 required by the department. The verification may include a
11 visit to the home of the applicant, as long as the department
12 gives adequate prior notice of the visit to the applicant.

13 G. An applicant shall complete a job search as
14 part of the application process unless he requests a waiver.

15 [~~G.~~] H. Within fifteen days after an application
16 is approved, the department shall assess the education,
17 skills, prior work experience and employability of the
18 participant.

19 [~~H.~~] I. After the initial assessment of skills,
20 the department shall work with the participant to develop an
21 individual responsibility plan that:

22 (1) sets forth an employment goal for the
23 participant and a plan for moving the participant into
24 employment;

25 (2) sets forth obligations of the participant

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1 that may include a requirement that the participant attend
2 school, maintain certain grades and attendance, keep his
3 school-age children in school, immunize his children or engage
4 in other activities that will help the participant become and
5 remain employed;

6 (3) is designed to the greatest extent
7 possible to move the participant into whatever employment the
8 participant is capable of handling and to provide additional
9 services as necessary to increase the responsibility and
10 amount of work the participant will handle over time;

11 (4) describes the services the department may
12 provide so that the participant may obtain and keep
13 employment; and

14 (5) may require the participant to undergo
15 appropriate substance abuse treatment.

16 [~~F.~~] J. The participant and a representative of
17 the department shall sign the participant's individual
18 responsibility plan.

19 [~~J.~~] K. The participant shall also sign a
20 participation agreement that designates the number of hours
21 that he must participate in work activities to meet
22 participation standards.

23 [~~K.~~] L. The department shall review the current
24 financial eligibility of a benefit group when the department
25 reviews food stamp eligibility.

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[~~L-~~] M The department shall meet semi-annually with a participant to review and revise his individual responsibility plan.

[~~M-~~] N. The department shall develop a complaint procedure to address issues pertinent to the delivery of services and other issues relating to a participant's individual responsibility plan.

0. For the purposes of this section, "job search" means the process of completing job contacts and submitting job applications to prospective employers. "